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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,068	07/28/2006	Wessel Adolf Otten	NL04 0083 US1	3704

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PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
INTELLECTUAL PROPERTY & STANDARDS
370 W. TRIMBLE ROAD MS 91/MG
SAN JOSE, CA 95131

EXAMINER

SHAH, SAMIR M

ART UNIT	PAPER NUMBER
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2856

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/588,068	Applicant(s) OTTEN, WESSEL ADOLF	
	Examiner Samir M. Shah	Art Unit 2856	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/28/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

2. The disclosure is objected to because of the following informalities:

- (a) As to page 9, lines 14-16, delete "the rotor 19', 19" and the turbine unit 13', 13" are removed from positions which are as remote as possible from axis of rotation 23', 23'" and replace it with --the rotors 19', 19", respectively, and the turbine units 13', 13",

respectively, are removed from positions which are as remote as possible from the axes of rotation 23', 23'' respectively--.

3. Appropriate correction is required.

Claim Objections

4. Claim 1 is objected to because of the following informalities:
 - (a) As to claim 1, the following amendment is suggested to place the claim in a better grammatical format without changing the scope of the claim:

--

A method of manufacturing an electrical suction unit for a vacuum cleaner wherein, said suction unit comprises a turbine unit and an electric motor with a rotor and a stator, wherein the method comprises the following steps:

- a. mounting said turbine unit to said rotor to form, together with said rotor, a part of said suction unit that is rotatable about an axis of rotation; and,
 - b. removing an amount of material from said rotor in order to torque-balance said rotatable part;
- characterized in that in order to torque-balance said rotatable part, an amount of material is also removed from said turbine unit.

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5. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kihara et al. (Japanese Patent Application Publication Translation JP 08065956 A henceforth "Kihara").

- (a) As to claims 1 and 6, Kihara discloses a method of manufacturing an electrical suction unit (1) for a vacuum cleaner (drawings 1, 6; paragraph 0010) wherein, said suction unit (1) comprises a turbine unit (3) and an electric motor (2) with a rotor (4) and a stator (5) (drawings 1, 6; paragraphs 0010, 0011), wherein the method comprises the following steps:

a. mounting said turbine unit (3) (through shaft (15)) to said rotor (4) to form, together with said rotor (4), a part of said suction unit (1) that is rotatable about an axis of rotation (drawings 1, 6; paragraphs 0010, 0011, 0012); and,

b. removing ("cut by the drill, a cutter, etc.") an amount of material from said rotor (4) in order to torque-balance said rotatable part (paragraphs 0017);

characterized in that in order to torque-balance said rotatable part, an amount of material is also removed ("cut by the drill, a cutter, etc.") from said turbine unit (3) (paragraphs 0017, 0018).

(b) As to claim 2, Kihara discloses that the amount of material that is removed ("cut by the drill, a cutter, etc.") from the rotor (4) is situated near a side of the rotor (4) facing away from the turbine unit (3) (drawings 1, 6; paragraphs 0017, 0018, 0019).

(c) As to claim 4, Kihara discloses that by removing the amount of material from the turbine unit (3), the turbine unit (3) itself is provided with a static imbalance equal to and oppositely directed to a static imbalance with which the rotor (4) itself is provided by the removal of the amount of material from the rotor (4) (drawings 1, 6; paragraphs 0017, 0018, 0019).

(d) As to claim 5, Kihara discloses that in a first step, a torque imbalance of the rotor (4) itself is measured, in a second step the static imbalance with which the turbine unit (3) and the rotor (4) are to be provided to compensate for the measured torque

imbalance of the rotor (4) is predetermined, in a third step, the rotor (4) is provided with the predetermined static imbalance, in a fourth step, the rotor (4) is mounted to the turbine unit (3), and in a fifth step, the rotatable part is torque-balanced by providing the turbine unit (3) with the predetermined static imbalance (drawings 1, 6; paragraphs 0114-0019).

8. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Luedtke et al. (US Patent Application Publication 2006/0115368 A1 henceforth "Luedtke").

(a) As to claim 1, Luedtke discloses a method of manufacturing an electrical suction unit/air pump (10) wherein, said suction unit (10) comprises a turbine unit (including running wheels 36, 38; pump mechanism 13; base plate 56, etc.) and an electric motor (16) with a rotor (19) and a stator (21) (figures 1 and 2; paragraphs 0021, 0025, 0026, 0029 and 0037), wherein the method comprises the following steps:

- a. mounting said turbine unit (through drive shaft (23)) to said rotor (19) to form, together with said rotor (19), a part of said suction unit (10) that is rotatable about an axis of rotation (figures 1 and 2; paragraph 0026); and,
- b. removing an amount of material from said rotor (19) in order to torque-balance said rotatable part (figure 1; paragraph 0012; paragraph 0035, especially lines 4-7); characterized in that in order to torque-balance said rotatable part, an amount of material is also removed from said turbine unit (figure 1; paragraph 0012; paragraph 0038, especially lines 1-5).

(b) As to claim 2, Luedtke discloses that the amount of material that is removed from the rotor (19) is situated near a side of the rotor (19) facing away from the turbine unit (figures 1 and 2; paragraphs 0011, 0013, 0035).

(c) As to claim 3, Luedtke discloses that the amount of material that is removed from the rotor (19) is situated in a plane extending perpendicularly to the axis of rotation and through a center of gravity of the rotatable part (figures 1 and 2; paragraphs 0009, 0012, 0019, 0034, 0035).

(d) As to claim 4, Luedtke discloses that by removing the amount of material from the turbine unit, the turbine unit itself is provided with a static imbalance equal to and oppositely directed to a static imbalance with which the rotor (19) itself is provided by the removal of the amount of material from the rotor (19) (figures 1 and 2; paragraph 0037).

Conclusion

9. The prior art made of record and not relied upon, cited in the attached 892 form, is considered pertinent to applicant's disclosure.

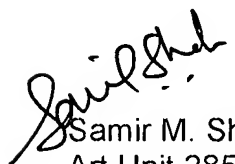
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samir M. Shah whose telephone number is (571) 272-2671. The examiner can normally be reached on Monday-Friday 9:30 am to 6:00 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Samir M. Shah
Art Unit 2856
12/20/2007


HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800